

July 17, 2002

## **Public Notice 401 Water Quality Certification**

### **Mercer, Fraser Company Gravel Mining Operations in Cooks Valley**

#### **Humboldt and Mendocino Counties**

On June 26, 2002, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the Mercer, Fraser Company requesting Federal Clean Water Act Section 401 Certification and California Code of Regulations Water Quality Certification for Gravel Mining Operations in Cooks Valley located in Mendocino and Humboldt counties. The application was deemed complete on July 15, 2002. The proposed project causes disturbances to waters of the United States associated with the South Fork Eel River located in the Eel River Hydrologic Unit No. 111.00.

The proposed project is located on the South Fork Eel River, River Mile 49, at Cooks Valley. The Cooks Valley Gravel Mining operation is located nine (9) miles south of Garberville, California in both Mendocino County (APN 053-020-11, 14, 16) and Humboldt County (APN 33-271-07).

The proposed project consists of the annual extraction of gravel along the South Fork Eel River. Gravel extraction activities consist of bar skimming and trenching by using a front-end loader or scraper, and the use of dump trucks for removal of gravel from the extraction site. The projected maximum volume of sand and gravel extracted annually is 40,000 cubic yards. Until October 1, up to 200 cubic yards of extracted material may be temporarily stored on the gravel bars prior to loading.

Gravel extraction operations would occur annually, starting June 1 through November 1. Operations cease completely after October 15, unless permission to continue extraction is granted by the U.S. Army Corps of Engineers (USACOE). After October 1, any gravel stockpiled on river bars will be removed on a daily basis and gravel bars are graded at the end of each workday.

Wetlands and/or riparian habitats are not permanently impacted by gravel extraction activities due to annual replenishment by high winter flows. Approximately 0-15 acres of the site in Cooks Valley will be temporarily impacted. Potential impacts from gravel extraction activities include loss of channel stability, changes in deposition patterns, changes in width-to-depth ratio, and loss of scour potential causing pool filling.

The Mercer, Fraser Company will implement Best Management Practices (BMPs) to minimize direct impacts to the channel. The BMPs include use of existing roads and processing sites. All excavation machinery will be kept out of the low-flow and/or wetted channel at all times. When extraction sites are designated near an active channel,

a one-foot minimum vertical offset from the surveyed low-flow channel water surface or a minimum horizontal offset must be incorporated, depending on site-specific locations. The offsets maintain the integrity of the channel and prevent extraction materials from entering the main or secondary channels. General guidelines for minimizing the impacts of the project are included in a Letter of Permission (LOP) 2002-1 issued by the U.S. Army Corps of Engineers.

The California Department of Fish and Game (CDFG), as the lead California Environmental Quality Act (CEQA) agency, adopted a Programmatic Environmental Impact Report (PEIR) on July 17, 2001 for gravel extraction activities on the Eel River, pursuant to the California Environmental Quality Act (CEQA).

The gravel extraction project is scheduled to begin annually on June 1 and cease completely by November 1. Staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and Title 23, California Code of Regulations, Sections 3830-3869. Comments on this project should be submitted to Miguel Villicana at [villm@rb1.swrcb.ca.gov](mailto:villm@rb1.swrcb.ca.gov) within 21 days of the posting of this notice.